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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,862	05/26/2006	Naoufel Chraiet	13798.002.00	7074

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MCKENNA LONG & ALDRIDGE LLP  
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WASHINGTON, DC 20006

EXAMINER
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ELFERVIG, TAYLOR A

ART UNIT	PAPER NUMBER
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2445

MAIL DATE	DELIVERY MODE
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12/15/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/580,862	<b>Applicant(s)</b> CHRAIET ET AL.	
	<b>Examiner</b> TAYLOR ELFERVIG	<b>Art Unit</b> 2445	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Response to Remarks***

1. This communication is considered fully responsive to the Amendment filed on 10/09/2009.

### ***Response to Arguments***

2. Applicant's arguments filed 10/09/2009 have been fully considered but they are not persuasive.
  - a. Applicant argues: *Neither Fano I nor Fano II* teaches using at least a second communication object located at a second location, belonging to said set of location to retrieve, from said service platform, at least said stored item of information associated with said first location.
    - i. Examiner responds: *Fano I* teaches that a user can create a number of personas (set of locations) that are contained with a user profile. For example, a persona may be directed towards a home or work where each persona may contain information (home address, work address) pertaining to each location (home, work). Each persona is directed towards a location (home, work) that would be relevant to a user. Also, each location denotes a likely location that a user would access their profile to perform a function. Also, each persona may store shopping goals or needed purchases for a particular location (Fig. 12; 1220, 1230,

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1240; Persona Objects; ¶¶0183-¶¶0184). Also, *Fano I* teaches that before leaving for a shopping trip, a shopper creates a shopping list from a preexisting set (¶¶0283, ¶¶0284). *Fano II* teaches the use of Mobile Valet (MV) that is able to perform services that is determined by where the MV is located. Accessing a user profile remotely/wirelessly from another location is within the scope of prior art reference (Abstract, ¶¶0009, ¶¶0043-¶¶0044). Also, *Fano II* teaches a maintained profile with a current shopping list and then when a user is in certain location present the user with offers (¶¶0006). The prior art references meet the claimed limitation.

b. Applicant argues: *Neither Fano I nor Fano II* teaches a means for delivering at least said stored item of information associated with said first location to a user by way of least one communicating object able to deliver information and situated in a second location belonging to said set of locations.

ii. Examiner responds: *Fano I* teaches that a user can create a number of personas (home, work) that are centrally stored. Also, *Fano I* teaches that before leaving for a shopping trip, a shopper creates a shopping list from a preexisting set (¶¶0283, ¶¶0284). *Fano II* teaches the use of Mobile Valet (MV) that is able to perform services that is determined by where the MV is located and teaches an enhanced delivery of services that are provided through a wireless mobile device (Abstract). Accessing a user profile remotely/wirelessly from another location is within the scope of prior art reference (Abstract, ¶¶0009, ¶¶0043-¶¶0044). Also,

*Fano II* teaches a maintained profile with a current shopping list and then when a user is in certain location present the user with offers (§10006).

The prior art references meet the claimed limitation.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1, 3, 4, 7, 10, 12 and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2004/0203909 A1 to U.S. Patent Application Publication No. 2005/0091118 A1 to *Fano et al. ("Fano I")* in view of U.S. Patent Application Publication No. 2006/0053378 A1 *Fano et al. ("Fano II")*.

**As to claim 1**, *Fano I* discloses a method for managing information between communicating objects situated in different locations, said information originating from information provider communicating objects and considered by communicating objects able to deliver information, said method comprising:

using a first communication object, located at a first location (Fig. 10A, 1010, Customer's Web Browser), to acquire data provided by a user wherein said data comprises a parameter identifying said first location associated with an

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item of information, wherein said first location belongs to a set of locations identified in a unique manner in a system of reference (Fig. 12; 1220, 1230, 1240; Persona Objects; ¶¶0183-¶¶0184);

storing said data comprising an item of information and a parameter indicating said first location associated with said item of information in a service platform (¶¶0175);

*Fano II* discloses what *Fano I* do not expressly disclose.

*Fano II* discloses:

using at least a second communication object located at a second location, belonging to said set of locations, to retrieve from said service platform, at least said stored item of information associated with said first location (Abstract, ¶¶0009, ¶¶0043-¶¶0044)

*Fano I* and *Fano II* are analogous art because they are from same field of endeavor with respect to determining the location of a user and acquiring information associated with another location.

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to incorporate location-based tasks and services as discussed in *Fano II* with a method for managing information between communicating objects situated in different locations as discussed in *Fano I*. The suggestion/motivation would have been a need to track a users needs and tasks based off their location (*Fano II*, ¶¶0006).

**As to claim 3,** *Fano I* teaches a stored item of information associated with a location is delivered by way of a communicating object able to deliver information and providing the parameter indicating the identification of said location (§§0172, Fig. 12; 1220, 1230, 1240; Persona Objects; §§0183-§§0184).

**As to claim 4,** *Fano II* discloses  
  
determining a location in which a communicating object (Fig. 2A, 200) able to deliver information is situated (Abstract, §§0082), and  
  
delivering stored information associated with said location by way of said communicating object (§§0011).

**As to claim 7,** *Fano I* discloses a step of authentication of the user is carried out, and access to associated stored information is a function of at least the results of this step of authentication (§§0199).

**As to claim 10,** *Fano I* teaches a step of authentication of the user is carried out, and the acquisition and the storage of the datum is a function of at least the results of this step of authentication (§§0199).

**As to claim 12**, similar rejection as to claim 1, where the method teaches the system.

**As to claim 13**, *Fano I* discloses a platform for managing information comprising at least two information management systems, each information management system comprising:

means for acquiring and storing data comprising an item of information to be provided by a user via a communicating object situated in a first location and comprising a parameter indicating an identification of said first location associated with said item of information, said first location belonging to a set of locations identified in a unique manner in a system of reference (§§0183-§§0184);

wherein the platform comprises means specifically for matching up the location identification in the system of reference of one of the two information management systems with the location identification in the system of reference of the other of the two information management systems (§§0175).

*Fano II* discloses what *Fano I* do not expressly disclose.

*Fano II* discloses:

means for delivering at least said stored item of information associated with said first location to a user by way of at least one communicating object able to deliver information and situated in a second location belonging to said set of locations (Abstract, §§0009, §§0043-§§0044),



The obviousness rejection and motivation/suggestion is the same as in claim 1.

6. **Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2004/0203909 A1 to U.S. Patent Application Publication No. 2005/0091118 A1 to *Fano et al.* ("*Fano I*") in view of U.S. Patent Application Publication No. 2006/0053378 A1 *Fano et al.* ("*Fano II*") in further view of U.S. Patent Application Publication No. 2006/0142935 A1 to *Koerber* ("*Koerber*").

**As to claim 2**, *Fano I* and *Fano II* disclose a method for managing information between communicating objects situated in different locations as discussed in claim 1.

*Koerber* discloses what *Fano I* and *Fano II* do not expressly disclose. However, *Fano I* teaches being able to access user profiles that describe various aspects of a user's life (work, personal, etc) and *Fano II* teaches a task oriented system where a device can receive information about tasks dependent upon the user's location.

*Koerber* discloses:

wherein said communicating object able to deliver information comprises an information delivery device fixed at second said location, said information delivery device a affording access to stored information associated with said first location (§0026-§0028).

*Fano I*, *Fano II*, and *Koerber* are analogous art because they are from same field of endeavor with respect to determining the location of a user and acquiring information that is location dependent.

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to incorporate acquiring, storing and delivering data about a location to a user in another location discussed *Koerber* with a location-based tasks and services as discussed in *Fano II* with a method for managing information between communicating objects situated in different locations as discussed in *Fano I*. The suggestion/motivation would have been a need to get information about one location while the user is at another location (*Koerber*, ¶0005).

7. **Claims 5, 6, 8, 9 and 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2004/0203909 A1 to U.S. Patent Application Publication No. 2005/0091118 A1 to *Fano et al.* ("*Fano I*") in view of U.S. Patent Application Publication No. 2006/0053378 A1 *Fano et al.* ("*Fano II*") in further view of U.S. Patent Application Publication 2004/0203909 A1 to *Koster* to ("*Koster*")

**As to claim 5**, *Fano I* and *Fano II* disclose a method for managing information between communicating objects situated in different locations as discussed in claim 1.

*Koster* discloses what *Fano I* and *Fano II* do not expressly disclose.

However, *Fano I* teaches being able to access user profiles that describe various aspects of a user's life (work, personal, etc) and *Fano II* teaches a task oriented system where a device can receive information about tasks dependent upon the user's location.

*Koster* discloses:

determining a location (205, GPS Satellite) in which an object providing information is situated (Fig. 2A), and

acquiring (Fig. 1, 10, Ant) and storing (Fig. 1, 18, Memory) at least one datum comprising an item of information provided by way of said object providing information (Fig. 2A, 205, GPS Satellite) and a parameter indicating the identification of said location (¶0043).

*Fano I*, *Fano II*, and *Koster* are analogous art because they are from same field of endeavor with respect to determining the location of a user and acquiring information that is location dependent.

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to incorporate acquiring, storing and delivering data about a location to a user in another location discussed *Koster* with a location-based tasks and services as discussed in *Fano II* with a method for managing information between communicating objects situated in different locations as

discussed in *Fano I*. The suggestion/motivation would have been a need to get information about a user's location (*Koster*, ¶0008).

**As to claim 6**, *Koster* teaches carrying out a step of identification of a user of a communicating object able to deliver information (¶0069), and

affording access of the user to stored information associated with a location by way of said communicating object as a function of at least the results of this step of identification (¶0069).

**As to claim 8**, *Koster* teaches information provider communicating object (235, Information Service Provider) associated with a location comprises an information acquisition device (235) fixed to said location (Fig. 2A). Here, the Information Service Provider is receiving Data Inputs.

**As to claim 9**, *Koster* teaches carrying out at least one step of identification of a user (Fig. 7B, 712) of an information provider communicating object (Fig. 7B, 720) (¶0090, ¶0091), and

acquiring (Fig. 7C, 720) and storing (Fig. 7C, 724, Database) at least one datum comprising an item of information provided by the user (Fig. 7C, 726,

Service Profile for Subscriber) by way of said object as a function of at least the results of this step of identification (Fig. 7B, Fig. 7C, ¶¶0090, ¶¶0091). Here, a user of a mobile terminal sends user information to a MSC (Mobile Switching System) which in turn sends it an APS (Adjunct Processing System).

**As to claim 11,** *Koster* teaches triggering, when a communicating object is located for the first time in a location, an operation destined for said communicating object (Fig. 5A, 500), prompting it to provide an item of information when the communicating object is an information provider (Fig. 8C, 892), and to have access to stored information associated with said location when the communicating object is able to deliver information (Fig. 5A, Fig. 10A) (¶¶0069, ¶¶0070, ¶¶0097). Examiner has interpreted the meaning of “triggering, when a communicating object is location for the first time in a location” to mean when a device enters a particular area then an initialization is performed. *Koster* teaches the use of GPS. *Koster* embodiments would perform/act the same or similar whether it was in a location for the first time or not.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAYLOR ELFERVIG whose telephone number is (571) 270-5687. The examiner can normally be reached on Monday - Thursday, 9:00 am - 4:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. E./

Examiner, Art Unit 2445

/Rupal D. Dharia/

Supervisory Patent Examiner, Art Unit 2400